

**OFFICE OF ATTORNEY GENERAL****INSURANCE FRAUD SECTION****TOM CORBETT • ATTORNEY GENERAL****NEWSLETTER**

Prison Sentences Handed Down in Rate Evasion Insurance Scam



Michael Bozzi, Josh Green, Alex Bien-Aime and Bucks County Insurance pled guilty to eleven counts including Insurance Fraud and Theft by Deception and were sentenced on November 30, 2009, in Bucks County.

Bozzi was a licensed insurance broker and the owner/operator of Bucks County Insurance (BCI). Green, a licensed insurance broker, was an employee of BCI and Bien-Aime is a resident of New York State.



Bozzi and Green devised a scheme to obtain Pennsylvania auto insurance policies for individuals living in New York City. Most of the policies were obtained from the Lincoln General Insurance Company and the American Independent Insurance Company. Bien-Aime advertised using flyers that he could provide inexpensive automobiles and insurance to individuals. Bien-Aime sold vehicles to these individuals and then would deal with Green and Bozzi to obtain Pennsylvania insurance policies for the vehicles. Green and Bozzi electronically submitted hundreds of applications for non-Pennsylvania residents to insurance companies containing false Pennsylvania addresses. Some of the addresses included Bucks County PO Box numbers which belonged to Bien-Aime and another individual. In addition to false addresses, many of the applications also contained false information about the applicant's driver's license, prior insurance and whether they owned a home, in order to receive discounts and avoid detection.



The men operated their scam in 2005 and 2006, costing insurance companies more than \$500,000 in rate evasion value. The total amount paid out by the insurance companies on claims was \$61,856.87.

Bien-Aime, Bozzi, Green and Bucks County Insurance all pled guilty to one count of Conspiracy (F1), four counts of Insurance Fraud (3-F3 & 1-M1) and three counts of Theft by Deception (F3) and were sentenced on November 30, 2009, to serve incarceration, 5 years consecutive probation and ordered to pay restitution of \$61,856.87, joint and several, and all court costs. Alexander Bien-Aime was sentenced to serve 11 ½ to 23 months incarceration, Michael Bozzi was sentenced to serve 8 to 23 months incarceration and Josh Green was sentenced to serve 3 to 23 months incarceration.

Bucks County Insurance was assessed no further penalty as the company is now defunct and out of business. Co-defendant, Serge Jeanty pled guilty on July 15, 2009, and was sentenced to serve 36 months probation and was ordered to perform 50 hours of community service and pay all court costs.



- On November 24, 2009, Jacqueline Miller was arrested in Westmoreland County. According to the Criminal Complaint, Miller began collecting long-term disability benefits from the Unum Insurance Company. Miller claimed to have a severe asthmatic condition that could not be controlled and rendered her incapable of returning to work. The Complaint further stated that at the time the benefits were approved, Miller was told by Unum to list any "deductible sources" of income, including social security benefits and that none were listed. The Complaint alleged that Miller was receiving social security benefits for herself and her children at the same time she was collecting disability benefits from Unum. Furthermore, Miller allegedly denied in writing and in telephone conversations with Unum that she was receiving other benefits. Jacqueline Miller has been charged with one count of Insurance Fraud (F3) and one count of Theft by Deception (F3).

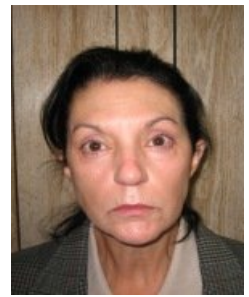
- On November 13, 2009, Matthew Harter was arrested in Luzerne County. According to the Criminal Complaint, Harter, a licensed insurance agent, submitted applications to the Bankers-Conseco Insurance Company containing false and made-up information for the sole purpose of obtaining commission payments from Bankers-Conseco over a two year period. The Company alleged that



Harter received over \$10,000 in commission payments from Bankers-Conseco that he was not entitled to receive. Matthew Harter has been charged with one count of Theft by Deception (F3) and one count of Insurance Fraud (M1).

- On November 17, 2009, Carol Wiel was arrested in Allegheny County. According to the Criminal Complaint, Wiel had purchased a sickness policy with the Combined Insurance Company which would pay her \$40 per day for inpatient hospital stays. Wiel

subsequently filed a claim with the Combined Insurance Company for benefits resulting from hospital stays at the University of Pittsburgh Medical Center (UPMC) between February 5, 2007 and January 27, 2009 and submitted paperwork to

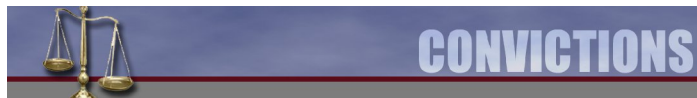


substantiate her claim. Allegedly, Wiel received inpatient benefits for 226 days when she was not receiving inpatient care and fabricated the paperwork to verify those dates of inpatient care. As a result, Wiel received benefits in excess of \$9,000 to which she was not entitled. Carol Wiel has been charged with one count of Insurance Fraud (F3) and one count of Theft by Deception (F3).

- On November 16, 2009, Sheldon Higginbotham was arrested in Allegheny County. According to the Criminal Complaint, Higginbotham filed a claim with the Travelers Insurance Company alleging that in November 2008, he sustained bodily injury as a result of a slip and fall at the Doubletree Hotel in downtown Pittsburgh. However, according to the Criminal Complaint, videotape evidence and eyewitness testimony revealed that Higginbotham did not slip and fall as he claimed. Sheldon Higginbotham has been charged with one count of Insurance Fraud (F3) and one count of Criminal Attempt/Theft by Deception (F3).

- On November 30, 2009, Brian Ahearn was arrested in Allegheny County. According to the Criminal Complaint, Ahearn was uninsured at the time of a two-car accident. Immediately after the accident, Ahearn obtained an automobile policy on-line with the Esurance Insurance Company and failed to disclose the accident that had occurred that day. Furthermore, the Complaint alleges that Ahearn then reported to the insurer of the other driver that he was insured by Esurance at the time of the accident in an attempt to get Esurance benefits. Brian Ahearn has been charged with two counts of Insurance Fraud (F3 & M1) and one count of Criminal Attempt/Theft (M1).

- On November 25, 2009, Joseph Masucci was arrested in Allegheny County. According to the Criminal Complaint, Masucci worked as an agent for the Bankers Life and Casualty Company. In 2008, Masucci allegedly forged and submitted at least five applications for insurance policies in the names of existing policyholders for the purpose of obtaining additional commissions from the insurer. Additionally, Masucci allegedly used bank account information on file with Bankers Life and Casualty to arrange for the payment of premiums on these policies with automated deductions from the bank accounts of the unwitting policyholders. Joseph Masucci has been charged with two counts of Forgery (F3), one count of Insurance Fraud (M1), one count of Theft by Deception (M1) and one count of Identity Theft (M1).
- On November 30, 2009, Christina Wilmer was arrested in Delaware County. According to the Criminal Complaint, Wilmer obtained a policy from the State Farm Insurance Company that would pay \$100 for each day of hospitalization for any member of Wilmer's family. The Complaint stated that Wilmer submitted claims for four days of hospitalization for her husband, allegedly occurring after she obtained the policy. However, according to the Criminal Complaint, Wilmer's husband's treatments actually occurred before the date of the policy inception. Additionally, the Complaint alleges that Wilmer altered the dates on the hospital bills that she submitted to State Farm to substantiate her claim. Christina Wilmer has been charged with one count of Insurance Fraud (F3), one count of Forgery (M1) and one count of Criminal Attempt/Theft by Deception (M1).



- Aaron Anderson and Vincent Grimm pled guilty to one count of Theft by Unlawful Taking or Disposition (M1) in Westmoreland County. Aaron Anderson arranged with the owner of a vehicle to take the vehicle so that the owner could receive insurance proceeds from the Progressive Insurance Company. Anderson then enlisted the services of Grimm

to assist in taking the vehicle and then Grimm agreed to maintain possession of the vehicle in his garage. On November 16, 2009, Aaron Anderson was sentenced to serve 3 years probation and ordered to perform 30 hours of community service and pay a fine of \$300 and all court costs. On November 19, 2009, Vincent Grimm was sentenced to serve 2 years probation and ordered to perform 30 hours of community service and pay all court costs.

- Jerry Newman pled guilty to one count of Theft by Deception (M1) and one count of False Reports to Law Enforcement (M3) in Delaware County. Newman arranged to have his vehicle stolen and then falsely reported the theft to the police and submitted a claim to the Travelers Insurance Company. Newman's vehicle and keys were recovered inside a container on board a ship set to sail to Liberia. On November 9, 2009, Jerry Newman was sentenced to serve 2 years probation, ordered to perform 100 hours of community service and to pay a fine of \$1,000, restitution and all court costs.
- Tammy Remphrey pled guilty to one count of Theft by Deception (M1) in Schuylkill County. Remphrey was injured while employed as an EMT for the Berwick Area Ambulance Association. Remphrey returned to full-time duty but continued to collect \$13,823.18 in workers' compensation benefits from the State Workers' Insurance Fund. While continuing to draw benefits Remphrey subsequently resigned her job, moved to Schuylkill County and obtained new employment. Remphrey also submitted a form to SWIF falsely claiming that she had not worked since she began to collect disability benefits. On November 25, 2009, Tammy Remphrey was sentenced to serve 2 years probation and ordered to perform 50 hours of community service, pay a fine of \$250, restitution and all court costs.

(ARD) DISPOSITIONS

During the month of November, seven additional defendants received Accelerated Rehabilitative Disposition (ARD).